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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARCUS BETORINA, JOSEPH DIAZ, and
FRED BELL, individuals on behalf of themselves
and on behalf of all persons similarly situated,

Plaintiffs,

v.

RANDSTAD US, L.P., a Limited Partnership; and
Does 1 through 50, inclusive,

Defendant.

Case No. 3:15-CV-03646-EMC

**STIPULATION AND PROPOSED ORDER
TO CONTINUE CASE MANAGEMENT
CONFERENCE**

Date: November 10, 2016
Time: 10:30 a.m.
Dept.: Ctrm. 5

Plaintiffs Marcus Betorina, Joseph Diaz, and Fred Bell ("Plaintiffs") and Defendant Randstad US, L.P. ("Randstad") (collectively "the Parties"), by and through their respective counsel, stipulate as

1 follows:

2 1. On August 8, 2016, the Parties attended a mediation and reached an agreement to resolve
3 this matter. They memorialized this agreement in a memorandum of understanding in which the Parties
4 agreed to enter into a long-form settlement agreement.

5 2. Since then, the Parties have been working to finalize the long-form settlement agreement.
6 The Parties have not yet finalized that settlement due to counsels' schedules and the Parties' desire to
7 present the Court with a long-form agreement sufficient for preliminary approval, which includes a
8 mechanism for class members to opt-into settlement of FLSA claim, which will be asserted in a
9 proposed amended complaint, for settlement purposes only, prepared by Plaintiffs' counsel.

10 3. A case management conference in this case is currently scheduled for November 10,
11 2016.

12 4. Since the Parties need to finalize their agreement before Plaintiffs file the preliminary
13 approval papers, which would be the main topic of discussion at the upcoming case management
14 conference, the Parties request that the Court continue the case management conference for thirty days
15 or another date that the Court deems appropriate. The Parties believe that will allow them sufficient
16 time to finalize the long-form settlement agreement so that a motion for preliminary approval can be
17 filed.

18 **IT IS SO STIPULATED.**

19 DATED: November 3, 2016

Respectfully submitted,

20 BLUMENTHAL, NORDREHAUG &
21 BHOWMIK

22 By: /s/ Kyle R. Nordrehaug

23 Norman B. Blumenthal

24 Kyle R. Nordrehaug

25 Aparajit Bhowmik

Piya Mukherjee

26 Attorneys for Plaintiff

27 MARCUS BETORINA, JOSEPH DIAZ and
28 FRED BELL

DATED: November 3, 2016

Respectfully submitted,

SEYFARTH SHAW LLP

By: /s/ Michael A. Wahlander

Andrew M. McNaught

Michael A. Wahlander

Duwayne A. Carr

Attorneys for Defendant

RANDSTAD US, L.P.

ATTESTATION PURSUANT TO LOCAL RULE 5-1(i)(3)

I, Michael A. Wahlander, attest that concurrence in the filing of this stipulation has been obtained from the signatory, Kyle Nordrehaug, counsel for Plaintiff.

DATED: November 3, 2016

By: /s/ Michael A. Wahlander

Michael A. Wahlander

[PROPOSED ORDER]

Pursuant to the Parties' stipulation and good cause appearing therefore, the Court orders as follows:

The Case Management Conference currently scheduled for November 10, 2016 is VACATED. The Case Management Conference is reset for 12/22, 2016.

IT IS SO ORDERED.

DATED: 11/7, 2016

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